



01-16-03

DAE/2873\$

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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/942,392	
	<b>Filing Date</b>	31 August 2001	
	<b>First Named Inventor</b>	Edward Raymond Dowski, Jr.	
	<b>Group Art Unit</b>	2873	
	<b>Examiner Name</b>	Unknown	
<b>Total Number of Pages in This Submission</b>	11	<b>Attorney Docket Number</b>	402801

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<b>Notification of Loss of Small Entity Status; Deficiency payment transmittal; Quitclaim of Patent; Certificate of Mailing; Return Postcard</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Curtis A. Vock
Signature	<i>Curtis A. Vock</i>
Date	1/15/03

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 1/15/03			
Typed or printed name	Michelle Ford		
Signature	<i>Michelle Ford</i>	Date	1/15/03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 404**Complete if Known**

Application Number	09/942,392
Filing Date	31 August 2001
First Named Inventor	Edward Raymond Dowski, Jr.
Examiner Name	Unknown
Group / Art Unit	2873
Attorney Docket No.	402801

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order☐ Deposit Account:Deposit  
Account  
Number  
12-0600Deposit  
Account  
Name  
Lathrop & gage L.C.**The Commissioner is authorized to: (check all that apply)**☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, **except for the filing fee**  
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)**

(\$ 0)

**2. EXTRA CLAIM FEES**

		Extra Claims	Fee from below	Fee Paid
Total Claims	-20 **	= 0	X	= 0
Independent Claims	-3 **	= 0	X	= 0
Multiple Dependent		X		= 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) Deficiency Payment to Correct Entity Status

364

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 404)

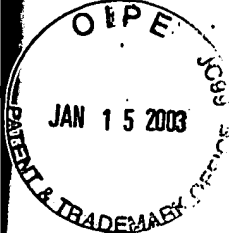
**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Curtis A. Vock	Registration No. Attorney/Agent)	38,356	Telephone	(720) 931-3000
Signature	<i>Curtis A. Vock</i>	Date	1-15-02		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Express Mail Label No. EV 045205327 US

Practitioner's Docket No. 402801

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Edward Raymond Dowski, Jr.  
Application No.: 09/942,392  
Filed: 31 August 2001

Group No. 2873  
Examiner: Unknown

For: WAVEFRONT CODING OPTICS

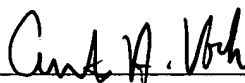
Commissioner for Patents  
Washington, D.C. 20231

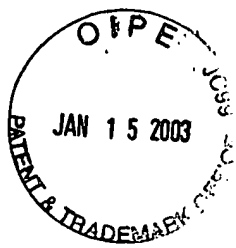
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NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS  
(37 CFR Section 1.28(b))

Applicant hereby notifies the Patent and Trademark Office that, as of April 2001, this application is no longer entitled to status as a small entity. The claim for small entity status in Application U.S. Serial No. 09/942,392, filed August 31, 2001, is hereby withdrawn.

Date: 1-15-03

  
Curtis A. Vock, Reg. Number: 38,356  
LATHROP & GAGE L.C.  
4845 Pearl East Circle, Suite 300  
Boulder, CO 80301  
Tel: 720-931-3011  
Fax: 720-931-3001



#2

Express Mail Label No. EV045205327US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Edward Raymond Dowski, Jr.  
Application No.: 09/942,392  
Filed: 31 August 2001

Attorney Docket No. 402801  
Group No.: 2873  
Examiner: Unknown

For: WAVEFRONT CODING OPTICS

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Commissioner for Patents  
Washington, D.C. 20231

## DEFICIENCY PAYMENT TO CORRECT ERROR IN SMALL ENTITY STATUS

Pursuant to 37 CFR 1.28(c)(1) and (2), an itemization and payment of deficiency owed are hereby submitted. The undersigned attorney requests under § 1.28(d) that the deficiency payment be treated as a notification under § 1.27(g)(2) of the loss of entitlement to small entity status.

Fee Description	Date	Fee Paid	Corrected Fee Amount	Deficiency Due
Basic Filing Fee	6/6/01	\$355.00	\$710.00	\$355.00
Extra Claims Fees				
Total Claims	6/6/01	\$9.00	\$18.00	\$9.00
Independent Claims				
Total Deficiency Payment Owed:				\$364.00

A deficiency payment in the amount of \$364.00 is enclosed. If any additional amount is due, please charge Deposit Account No. 12-0600.

Respectfully submitted,

By: 

Curtis A. Vock, Reg. No. 38,356  
Lathrop & Gage, L.C.  
4845 Pearl East Circle, #300  
Boulder, CO 80301  
Telephone: (720) 931-3011  
Facsimile: (720) 931-3001

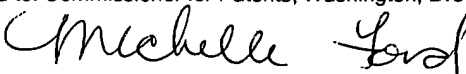
01/17/2003 SLIANG1 00000011 09942392

01 FC:1001  
02 FC:1700750.00 OP  
18.00 OP

## CERTIFICATE UNDER 37 C.F.R. § 1.10

I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, as EXPRESS MAIL LABEL NO. EV 045205327 US

1/15/03  
Date

  
Michelle Ford

# QUITCLAIM OF PATENT

This QUITCLAIM is by and between CDM Optics, Inc., a Colorado corporation with offices at 4001 Discovery Drive, Suite 2110, Boulder, CO 80303 ("Grantor"), and Edward Raymond Dowski, Jr. of Boulder, Colorado ("Grantee").

WHEREAS, Grantee has invented a new and useful improvement (the "Inventions") as fully set forth and described in U.S. Patent Application No. 09/942,392 titled "Wavefront Coding Optics" filed on August 31, 2001 and PCT Patent Application No. PCT/US02/09702 titled "Improved Wavefront Coding Optics" filed on March 28, 2002 (the "Applications"); and

WHEREAS, Grantee inadvertently granted to Grantor, pursuant to an assignment recorded at Reel Number 012142 and Frame Number 0420 (the "Assignment"), his full and exclusive, right, title, and interest, throughout the world, in and to (i) the Inventions, (ii) the Applications, (iii) any and all refilings, divisions, continuations, continuations-in-part, and foreign counterparts of said applications (the "Family"), (iv) any and all patents which may issue from the Applications or the Family Applications, including reissues and reexaminations of such patents, and (v) any and all extensions of, and additions to the patents;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, Grantor releases and quitclaims to Grantee the entire right, title, and interest whatsoever which Grantor might have acquired in and to the Invention and the Applications pursuant to the Assignment.

IN WITNESS WHEREOF, the parties hereto have caused this QUITCLAIM to be duly executed as follows:

CDM OPTICS, INC.

By:

Wade Thomas Cathey, Jr.  
Wade Thomas Cathey, Jr., President

Date:

10 Dec 2002

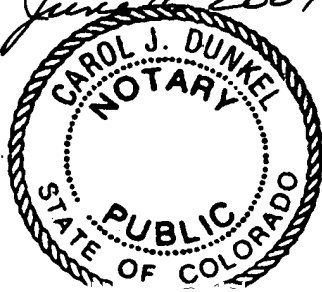
State of Colorado       )  
                                      ) ss:  
County of Boulder       )

The preceding Quitclaim was acknowledged before me this 10 day of December, 2002.

My Commission Expires:

June 16, 2004

Carol J. Dunkel  
Notary Public





Practitioner's Docket No. 402801

**PATENT**

**IN THE UNITED STATES PATENT OFFICE**

In re application of: Edward Raymond Dowski, Jr.  
Application No.: 09/942,392  
Filed: August 31, 2001

Group No.: 2873  
Examiner: Unknown

For: WAVEFRONT CODING OPTICS

**Commissioner for Patents  
Washington, D.C. 20231**

**CERTIFICATE OF EXPRESS MAILING**

Express Mail Label No. EV 045205327 US  
Date of Deposit: 15 January 2003

I hereby state that the following *attached* papers:

1. Transmittal Form (1 page)
2. Fee Transmittal for FY 2002 (1 page + 1 copy)
3. Notification of Loss of Small Entity Status (1 page)
3. Deficiency Payment to Correct Error in Small Entity Status (1 page)
4. Check in the amount of \$404.00 for deficiency owed and assignment recordation;
5. Assignment Recordation (1 page)
6. Assignment (3 pages)
7. Quitclaim of Patent (1 page)
8. Certificate of Mailing, (1 page)
9. Return Postcard (1)

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231.

Michelle Ford